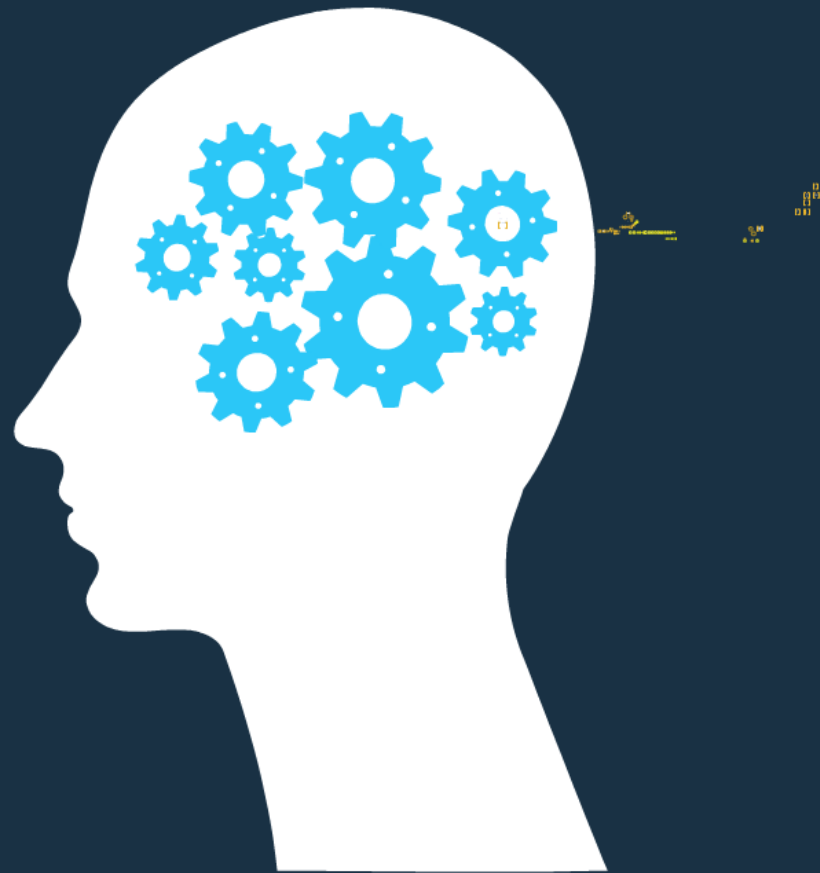


Using Cognitive Science in the Persuasive Writing Classroom



By Christopher Corts and Laura Webb

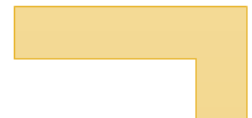
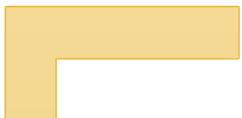
Using Cognitive Science in the Persuasive Writing Classroom



By Christopher Corts and Laura Webb

Why Do We Use Cognitive Science in Our Classroom?

How Do We Use Cognitive Science In Our Classroom?



How Does The Brain Make Sense of New Information?



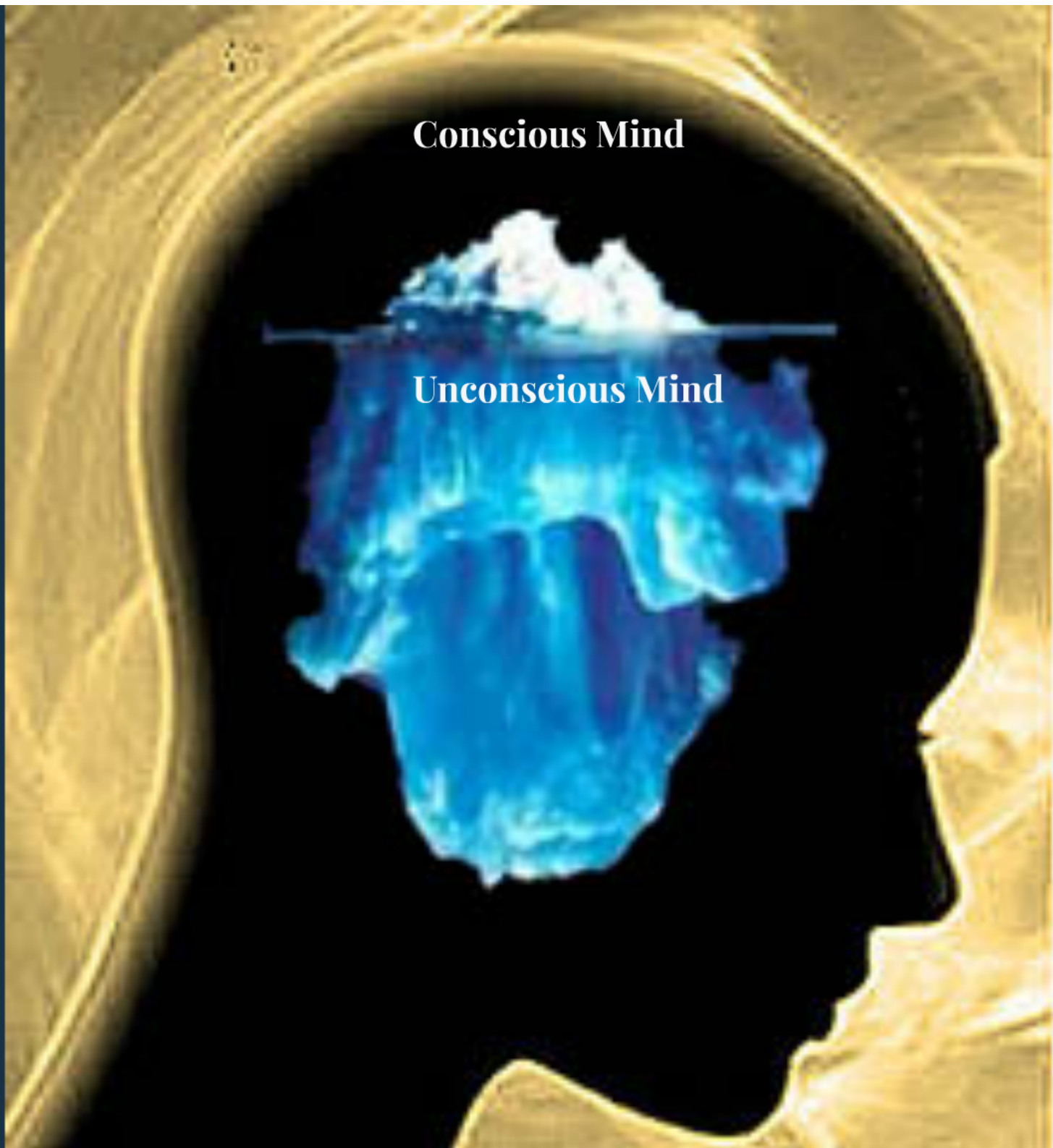
Linking New Information to Existing Knowledge

Explicitly: through *Framing*

Implicitly: through *Priming*

Conscious Mind

Unconscious Mind



Framing

Explicit Connections



Framing: deliberately influencing the way a reader consciously categorizes information.

Washing Clothes

The procedure is actually quite simple. First, you arrange items into different groups. Of course one pile may be sufficient depending on how much there is to do. If you have to go somewhere else due to lack of facilities; that is the next step; otherwise, you are pretty well set. It is important not to overdo things. That is, it is better to do too few things at once than too many.

Framing appeals to the reader's conscious efforts to make a rational decision.

It **links** the new information you are providing to your reader's specific, existing knowledge.

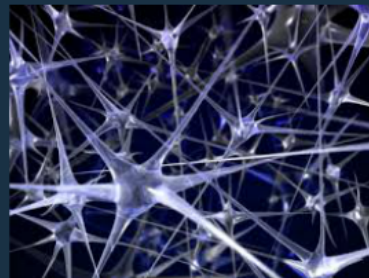
The Defense Brief:
Point Headings

- I. The Constitutional **Logic** of *Roper v. Simmons* and *Graham v. Florida* Controls this Case
 - A. The Eighth Amendment **Reasoning** of *Roper* and *Graham*
 - B. The **Sources** of Information About Adolescence **Recognized** in *Roper* and *Graham* **and Their Teaching** Regarding the Relevant Characteristics of Young Teens in Particular

Miller v. Alabama, 132 S. Ct. 2455 (2012).

Priming

Making Implicit Connections



Priming:
deliberately
influencing a
reader's
perception of new
information.

Priming appeals to a reader's subconscious mind. It links new information to a reader's intuitive and emotional reactions.

Framing and Priming: An Exercise

U.S. v. Weaver, 2000 WL 34497155 (D. Md. 2000)


**Defendant's Motion to
Reconsider Admissibility
of "Other Crimes"
Evidence
or, in the Alternative,
to Limit Scope of
Admissibility**

U.S. v. Weaver, 2000 WL 34497155 (D. Md. 2000).

The situation: your client committed prior bank robbery in Virginia and is now on trial for three bank robberies in Maryland.

Court has ruled that State may introduce evidence of Va. bank robbery conviction in this trial.

The task: persuade court to reconsider ruling allowing evidence of "other crimes."



The
argument:
This crime is
different.

I. Evidence that Mr. Weaver committed a bank robbery in Virginia is inadmissible on the theory of identity.

[T]he only **common ground** between the robbery committed by Mr. Weaver in Virginia and the three bank robberies of which Mr. Weaver is accused in Maryland is that **all four robberies** were committed in the mid-afternoon, by a black male robber who pretended to have a gun and entered **each bank** to verbally demand money. **While it is true that each robber provided** a teller with a bag in which to put

I. Evidence that Mr. Weaver committed a bank robbery in Virginia is inadmissible on the theory of identity.

[T]he only **common ground** between the robbery committed by Mr. Weaver in Virginia and the three bank robberies of which Mr. Weaver is accused in Maryland is that **all four robberies** were committed in the mid-afternoon, by a black male robber who pretended to have a gun and entered **each bank** to verbally demand money. **While it is true that each robber provided** a teller with a bag in which to put money, the bags used in Counts I and III and in Virginia were white plastic bags while the bag used in Count II was a brown paper bag. **While it is true that** Mr. Weaver, in committing the Virginia robbery, wore glasses that the Court considers "oversized" and that the person or persons responsible for the robberies charged in Counts II and III **wore similarly** "oversized" glasses, the robber responsible for the offense charged in Count I did not wear glasses. **While it is true that** Mr. Weaver in Virginia and the robber or robbers in Maryland **all wore hats** of some sort, the knit hats involved in the three Maryland robberies differ from one another and differ drastically from the baseball-style cap worn by Mr. Weaver during the Virginia robbery. ...

- I. Evidence that Mr. Weaver committed a bank robbery in Virginia is inadmissible on the theory of identity.

[T]he only common ground between the robbery committed by Mr. Weaver in Virginia and the three bank robberies of which Mr. Weaver is accused in Maryland is that all four robberies were committed in the mid-afternoon, by a black male robber who pretended to have a gun and entered each bank to verbally demand money.

I. Evidence that Mr. Weaver committed a bank robbery in Virginia is inadmissible on the theory of identity.

...

While it is true that each robber provided a teller with a bag in which to put money, the bags used in Counts I and III and in Virginia were white plastic bags while the bag used in Count II was a brown paper bag. ...

I. Evidence that Mr. Weaver committed a bank robbery in Virginia is inadmissible on the theory of identity.

... **While it is true that Mr. Weaver**, in committing the Virginia robbery, wore glasses that the Court considers "oversized" and that **the person or persons responsible for the robberies** charged in Counts I and II wore similarly "oversized" glasses, the robber responsible for the offense charged in Count III did not wear glasses ...

- I. Evidence that Mr. Weaver committed a bank robbery in Virginia is inadmissible on the theory of identity.

...**While it is true that** Mr. Weaver in Virginia **and the robber or** robbers in Maryland **all** wore hats of some sort, the knit hats involved in the three Maryland robberies differ from one another and differ drastically from the baseball-style cap worn by Mr. Weaver during the Virginia robbery.

Knowing the role that **linking** through **framing** and **priming** plays in our readers' minds, we can influence the way the readers makes sense of the unfavorable information by introducing it in the precise way we want the reader to understand it.

Revising the Container

- I. Evidence that Mr. Weaver committed a bank robbery in Virginia is inadmissible on the theory of identity.

Becomes:

- I. Evidence that Mr. Weaver committed a bank robbery in Virginia is inadmissible on the theory of identity because that crime is not substantially similar to the three Maryland crimes alleged; the Maryland crimes are different.

Revising the Container

[T]he only common ground between the robbery committed by Mr. Weaver in Virginia and the three bank robberies of which Mr. Weaver is accused...

Becomes

The methodology of the prior crime in Virginia is different from —not strikingly similar to—the methodology alleged for the three Maryland bank robberies in this case.

The methodology of the prior crime in Virginia is **different** from—not strikingly similar to—the methodology alleged in the three Maryland bank robberies in this case. **The bags** used to carry money were **different**: here, the robber in Count II used a brown paper bag; in Virginia, Mr. Weaver used a white plastic bag. **The glasses** were **different**: here, the robber in Count I did not wear glasses; in Virginia, Mr. Weaver wore "oversized" glasses. **The hats** were **different**: the robbers in Counts I, II, and III wore different styles of knit hats; in Virginia, Mr. Weaver wore a baseball-style hat.

Cognitive Science and Brief Writing

Cognitive science helps us appreciate more precisely how we can—and should—construct each component of a brief so it helps the court perceive, sort, and ultimately retain each piece of new information from our client's point of view.